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Catherine A. Rinaldi
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Metro-North Railroad

August 31, 2021

The Honorable Ronnie Abrams, U.S.D.J.
Thurgood Marshall
United States Courthouse
40 Foley Square
Courtroom 1506
New York, NY 10007

***Re: Kirk Haye v. Metro North Railroad Company
20-cv-2549 (RA)
Joint Letter and Request for Adjournment of Conference***

Dear Judge Abrams:

Pursuant to your prior court order, please accept this joint letter concerning the above-mentioned matter and my request for the adjournment of the September 24, 2021 conference and a Sixty (60) day extension of all deadlines.

The adjournment request is due to the fact that I am planning to go on vacation abroad for the first time due to the pandemic and will not be able to participate in the telephone conference. I hope this Court permits this request, since I am the only attorney that is handling personal injury matters on behalf of Metro-North. Depending on the Court's availability, both parties are available for a conference on either October 8 or 11 if this court will grant this request.

With respect to the status of discovery, the deposition of both Plaintiff and the Defendant has been completed. Plaintiff has already conducted the deposition of a non-party witness. Defendant needs to schedule Independent Medical Examinations of the Plaintiff. Defendant still needs to produce certain records relating to the elevator in question.

Both parties request an extension of the deadlines by sixty (60) days. The extension is needed since Plaintiff intends to depose Mr. Anthony Puglia, a witness to the accident and former Metro-North employee who is no longer a Metro-North employee. Mr. Puglia has not been cooperative and has failed to appear for a non-party deposition despite being served with a subpoena. In addition, Plaintiff would like to inspect the elevator in question. Extending all relevant dates by sixty (60) days would not prejudice any party, and in fact would help facilitate

Application granted. The post-fact-discovery conference is hereby adjourned until October 8, 2021 at 4:00 p.m.

No further extensions will be granted absent good cause.

SO ORDERED.

A handwritten signature in blue ink, appearing to be "R. Abrams", written over a horizontal line.

Hon. Ronnie Abrams
September 1, 2021

a possible resolution of the case before trial. Therefore, all parties respectfully request a sixty (60) day extension of all existing deadlines in order to complete discovery.

There has been three other previous requests for adjournments or extensions of time. I have communicated with Mr. Myers, Plaintiff's counsel, and he joins in this request. A proposed Revised Case Management Plan below reflects the sixty (60) day extension.

Proposed Case Management Plan

Fact discovery and depositions shall be completed no later than October 3, 2021.

Plaintiff's expert reports due November 22, 2021.

Defendant expert reports due December 22, 2021.

All discovery deadline shall be completed no later than January 21, 2022.

Depositions of experts to completed by January 21, 2022.

The Court will conduct a post-fact discovery conference on _____. No later than a week in advance of the conference, the parties are to submit a joint letter updating the Court on the status of the case.

We thank Your Honor for your time and consideration. We will make ourselves available at your Honor's convenience.

THE MYERS FIRM

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